IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.164 OF 2006
IN
CIVIL REVISION APPLICAITON ST.NO.24834 OF 2006

Municipal Corpn. of the City of Pune. ..Applicant.

V/s.

Mr.Babulal Chiranjilal ..Respondent.

Mr.Pethe for applicant.

Mr.Aniruddha Pratinidhi for Respondent.

CORAM: A.M.KHANWILKAR,J

DATE : JANUARY 19, 2007.

P.C. :

1. Although this application is opposed on behalf of the respondent on the argument that the reason indicated in the application that time spent for getting the impugned Judgment translated into English, is not sufficient cause, in my opinion, in the interest of justice and as the delay is only of 100 days, this application deserves to be allowed; however, on condition that the applicant shall pay costs quantified at Rs.1000/- to the High Court Legal Services Committee within two weeks from today, failing which the application will be treated as dismissed for non-prosecution.

2. I am inclined to show this indulgence to the applicant, inspite of insufficient explanation in the application, as to what prevented the legal officer of the applicant to send the papers within reasonable time to the Advocate after receipt of the certified copy, as the applicant is a public body. Accordingly, for the lapse on the part of the legal officer of the Applicant, the public interest should not suffer.

3. Accordingly, this application is allowed in term of prayer clause (a) on the above terms.